THE RALEIGH POLICE DEPARTMENT

1110-07

AUTOMATED LICENSE PLATE RECOGNITION AND INTERNET PROTOCOL CAMERA SYSTEM

PURPOSE

The purpose of this directive is to establish policies, guidelines and procedures for the use and retention of the Automated License Plate Recognition and Internet Protocol Camera Systems.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, and Integrity*. In carrying out all surveillance operations we will hold ourselves to the highest standards of integrity and professionalism and will act in such a manner that no infringement upon the statutory and constitutional rights of any individual shall occur

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

DOI 1110-06 "Undercover and Surveillance Operations"
N.C.G.S. § 132-1.4

GENERAL POLICIES

The Raleigh Police Department is committed to reducing crime and maintaining order by aggressively investigating criminal activity that threatens public safety and diminishes the quality of life in our neighborhoods. The Automated License Plate Recognition (ALPR) and Internet Protocol Cameras are tools used to identify vehicles that have a specific interest to law enforcement and observing criminal activity. The use of these tools is consistent with the mission of the Raleigh Police Department in delivering the greatest measure of safety and the highest level of service to the community while still recognizing legitimate privacy interests held by citizens. Cameras will not be used in a manner that is designed to harass or intimidate. Usage will not be based solely on a protected class (i.e., race, sex, religion) and cameras will not be accessed for personal use.

INTERNET BASED CAMERA SYSTEM

Internet Protocol Camera Systems (IPCS) is a surveillance option available to the Raleigh Police Department. IP cameras are closed-circuit cameras that use internet protocol to transmit data through a computer IP based network. The IP Camera System includes video monitoring cameras, a video encoder system, transmission device, and power control.

At all times, IP Cameras will be placed and utilized in accordance with all State and Federal laws protecting an individual's reasonable expectation of privacy.

CONTROL AND USE OF THE IP CAMERA SYSTEM

The Technical Assistance Response Unit (TARU) will be tasked with placement, maintenance, and removal of IP Camera Systems. The Technical Assistance Response Unit will also maintain all equipment associated with the IP Camera Systems.

Use of IP Cameras is strictly limited to legitimate law enforcement purposes. TARU shall not use IP Cameras in areas or in a manner that is designed to harass or intimidate citizens.

TRAINING AND RESPONSIBILITY FOR THE IP CAMERA SYSTEM

TARU members will comply with all regulations set forth by OSHA as it relates to the placement, maintenance and removal of cameras. TARU members will only place camera systems in locations which are safe. Only members of TARU, who have been certified through a High Voltage Environments class, will place cameras in areas where there are utility lines.

When installing, maintaining or removing a camera in a high risk environment, there must be at least two (2) members of the TARU present. Prior to installing a camera, a safety briefing will be conducted. The briefing shall include the following:

- any potential hazards associated with the job;
- work procedures involved;
- any special precautions to be taken;
- information on energy source controls; and
- personal protective equipment requirements.

TARU will be responsible for maintaining the database of personnel qualified to operate IP cameras. Qualified individuals are those persons working for the City of Raleigh who have been instructed in the operation of the Internet Protocol Camera Systems and who have articulated the need for viewing real time images and/or archived images.

The Investigative Division Commander or their designee will be responsible for granting rights for viewing data images. Rights may include control of pan-tilt-zoom functions, archive review, and what specific cameras may be viewed.

RETENTION OF RECORDED IMAGES

All data obtained and stored through the use of IP Cameras is considered a record of a criminal investigation pursuant to N.C.G.S. § 132-1.4 and shall be used solely for the purpose of attempting to prevent, solve, or detect violations of the law.

Images gathered by the IP cameras will be maintained for a maximum period of 90 days. Specific events may be archived based on investigative needs and for use as prosecutorial evidence in criminal proceedings. Based on the need, some cameras will not record images unless there is motion detected by the camera software. This procedure will reduce the amount of hard drive space needed for the overall retention of images from all cameras.

Data obtained and/or stored through use of IP Cameras is not a public record and shall not be disseminated outside the Raleigh Police Department. However, data obtained and stored through use of IP Cameras may be shared with other law enforcement agencies that request access for a legitimate law enforcement purpose only upon approval by the Detective Division Commander.

Securing IP Camera Video Footage

Securing IP Camera Video Footage must be approved by a supervisor.

Prior to securing IP Camera video footage, the individual who is accessing the material must acknowledge:

- Securing IP Camera Video Footage is strictly limited to official law enforcement purposes only;
- Any and all information gathered by the IP Camera Video Footage is a confidential law enforcement record and shall not be considered to be a public record;
- Data obtained and/or stored through the use of the IP Camera Video Footage may be shared with other law enforcement agencies who request access for a legitimate law enforcement purpose only upon approval by the Detective Division Commander.

PLACEMENT OF INTERNET BASED CAMERA SYSTEMS

The IP Camera systems will **only** be placed for use by the Raleigh Police Department to deter criminal activity or to facilitate the advancement of a criminal investigation. The use of IP cameras is not intended to replace other crime reduction efforts but is intended to supplement the Department's efforts in the area of community policing. At no time will the camera systems be used for personal reasons or in such a way as to impede an individuals' right to privacy. The final

decision for Internet Based Camera System placement will be made by the Detective Division Commander based on the established criteria. The placement of IP Cameras will be based on the following:

- Public Safety Concerns
- Areas of known or projected criminal activities
- Requests from community citizen groups
- Requests from Divisions of the Raleigh Police Department
- Requests from outside agencies
- Rights of individuals within the monitored area
- Available power sources for camera operation
- Quality of the electronic signals from the transmitting antenna to the receiving antenna
- Safety of the personnel placing the camera systems

IP cameras are subject to limited availability. Any request for the placement of the IP Camera System will be reviewed in light of the above criteria and evaluated for practical application and crime deterrence. The decision to place IP Cameras will not consider race, national or ethnic origin, or other identifiable group descriptors.

AUTOMATED LICENSE PLATE RECOGNITION (ALPR)

Definition

An ALPR system consists of cameras connected to a computer processing unit that converts images of license plates into computer-readable data. These cameras can be mounted to a patrol vehicle or set up in a stationary location. The license plate data is compared against a database of license plates associated with stolen vehicles and plates, wanted and missing persons, and other databases designed to enforce laws or further criminal investigations. The images and associated data, such as date, time and GPS coordinates, are then stored in accordance with laws and departmental policy.

The Police Department utilizes three different types of ALPR systems. Mobile Platforms are attached to patrol cars that are assigned to various districts throughout the City and serve a regular patrol function. Temporary Fixed platforms are attached to a trailer or other mobile device and can be rapidly deployed as needed for active criminal investigations. Fixed platforms are attached to a fixed location such as a building or utility pole.

Training

Before operating the ALPR system, all personnel should familiarize themselves with the operating instructions provided on RPDnet. The instructions shall provide information on how to operate the system, and the steps personnel should take before taking action on an ALPR alert. If personnel have questions regarding the operations of an ALPR system, Information Services staff should be contacted before the ALPR system is operated.

Procedure when ALPR alerts on a vehicle

The ALPRs can sometimes misread a plate and does not recognize the state of origin. Additionally, the data against which the plates are compared are not updated in real time. Therefore, when the ALPR alerts on a plate officers should follow these procedures:

- DO NOT USE THE ALERT AS REASONABLE SUSPICION OR PROBABLE CAUSE.
- DO NOT TAKE ANY ENFORCEMENT ACTION BASED SOLELY ON THE ALPR ALERT.
- If the system alerts on a plate, Officers shall confirm the accuracy of the plate to ensure the characters and state of origin match the alert.
- After confirming the characters and state, Officers shall run the plate through DCI or other appropriate official database to confirm the accuracy of the alert.
- Before taking action, officers should confirm the alert is one that requires action. For example, the system may alert on a sex offender record, but depending on the location of the vehicle, no action may be required.
- OFFICERS MAY ONLY TAKE ENFORCMENT ACTION ONCE THEY HAVE CONFIRMED THE STATUS OF THE PLATE THROUGH DCI OR OTHER APPROPRIATE OFFICIAL DATABASE.

Use of ALPRs

Use of ALPR shall be used only for legitimate law enforcement purposes. The Raleigh Police Department utilizes three (3) types of ALPR platforms:

- **Mobile ALPR** - Use of Mobile ALPR, including routine patrol and response to calls for service is strictly limited to legitimate law enforcement purposes. Officers operating vehicles with a Mobile ALPR shall not do so in areas or in a manner that is designed or reasonably likely to harass or intimidate citizens.
- **Temporary Fixed ALPR** - Approval from a supervisor must be granted prior to deploying a Temporary Fixed ALPR. In deciding whether to grant approval for such a request, a supervisor must consider various factors which shall include, but are not limited to: the intended purpose of the deployment, the location of the deployment, the duration of the deployment, whether there exists a legitimate law enforcement need for deployment. A supervisor shall also take into account the impact the presence of the Temporary Fixed ALPR may have on the community into which it is deployed.
- **Fixed ALPR** - Prior to placing a Fixed ALPR the Chief of Police must approve the location, purpose and duration of the placement. In considering whether or not to approve a Fixed ALPR the Chief of Police shall consider various factors, which include, but are not limited to:
    - Public Safety Concerns
    - Areas of known or projected criminal activities
    - Requests from community citizen groups
    - Requests from Divisions of the Raleigh Police Department
    - Requests from outside agencies
    - Rights of individuals within the monitored area

- Available power sources for camera operation
- Quality of the electronic signals from the transmitting antenna to the receiving antenna
- Safety of the personnel placing the camera systems
- The intended purpose of the deployment
- The potential overall impact on the community

Data Recorded by ALPRs

All data obtained and stored through use of ALPRs is considered a record of a criminal investigation pursuant to N.C.G.S. § 132-1.4 and shall be used solely for the purpose of attempting to prevent, solve, or detect violations of the law.

Data obtained and/or stored through use of ALPRs is not a public record and shall not be disseminated outside the Raleigh Police Department. However, data obtained and stored through use of ALPRs may be shared with other law enforcement agencies that request access for a legitimate law enforcement purpose only upon approval by the Chief of Police or designee. All such requests from other law enforcement agencies shall be made in writing.

The use and effectiveness of the ALPR system shall be audited annually and the report submitted to the Chief of Police.

Use of data obtained from ALPR systems not operated by the Raleigh Police Department must be used in accordance to NC State General Statute and Raleigh Police Department DOI.

Storage of Data

All data obtained from ALPRs shall be deleted within 90 days from the date it was recorded except as specifically set out herein.

Data obtained by an ALPR may be preserved for more than 90 days under the following circumstances:

- A search warrant is issued pursuant to Article 11 of Chapter 15A of the General Statutes, or
- A federal search warrant is issued in compliance with the Federal Rules of Criminal Procedure, or
- A preservation request is made or received by a law enforcement agency. Such a request must be in the form of a written, sworn statement and must include all of the following:
    - The location of the particular ALPR(s) for which captured plate data must be preserved and the particular license plate(s) for which captured plate data must be preserved,
    - The date(s) and time frame(s) for which the captured plate data must be preserved,
    - Specific and articulable facts showing that there are reasonable grounds to believe that the captured plate data is relevant and material to an ongoing criminal or

missing persons investigation or is needed to prove a violation of a motor carrier safety regulation, and

- The case and identity of the parties involved in that case.

Preserved data must be destroyed no later than one year from the date of the preservation request. The year-long preservation period can be reset with the issuance of a refreshed preservation request from a law enforcement agency or a new state or federal search warrant.

Access to Stored Data

Stored ALPR data shall be protected from unauthorized access using standard Information Services practices. Prior to accessing stored data, personnel must complete training governing the handling of criminal intelligence information. This training shall be coordinated by the Raleigh Intelligence Center.

Prior to allowing access to the stored material, the individual who is accessing the material must acknowledge:

- Access to the ALPR (Automated License Plate Recognition) database is strictly limited to official law enforcement purposes only;
- Access to the ALPR database by personnel outside of the Raleigh Intelligence Center must be approved by a supervisor. Supervisory approval must be obtained in advance for each instance of access;
- Each access will be logged;
- Any and all information gathered by the ALPR system is a confidential law enforcement record and shall not be considered to be a public record;
- Data obtained and/or stored through the use of the ALPR system may be shared with other law enforcement agencies who request access for a legitimate law enforcement purpose only upon approval by the Chief of Police or his designee.

Mobile Station Direction Finder (MSDF)

The Raleigh Police Department's Mobile Station Direction Finder (MSDF) will be maintained by the RPD Technical Assistance Response Unit (TARU) unit. Only TARU and Fugitive unit members are authorized operators of the MSDF.

Authorized unit supervisors will determine the proper cases to utilize the MSDF. Consideration of the type of criminal violation, officer safety and life-threatening circumstances will be included in this evaluation. Before deployment, the team case officer/Detective and the unit supervisor will ensure proper court orders are obtained. When exigent circumstances exist, the case agent and supervisor will ensure proper probable cause exists to meet the threshold to obtain a court order and that all the applicable local, state, and federal laws are followed.